

III. REMARKS**Status of the Claims**

All of the claims are amended to correct awkward phraseology due to translation and to improve form. Claims 1-15 and 19-22 remain under consideration.

Summary of the Office Action

Claims 1,2,6,7,10,11,15, and 16 stand rejected under 35USC103(a) on the basis of the cited reference Kim I (WO97/41677). in view of the reference Lundquist, U.S. Patent no. 6,424,844. Claims 8,9, and 22 stand rejected under 35USC103(a) on the basis of the cited reference Kim I(WO97/41677) in view of the reference Lundquist and further in view of Kim II (WO98/19434. The Examiner is respectfully requested to reconsider his rejections in view of the following remarks. Claims 3, 12 and 21 are indicated to contain patentable subject matter, if written in independent form.

Responsive Remarks

The invention of the applicant utilizes a touch screen-style user interface in fixed operative relation with a flexible keyboard. There is therefore only one mode of operation of the keyboard of this invention and that is through the touch screen. It is the touch screen that generates the signals in response to a key being depressed. The touch screen is not available for independent use as in the cited art. The fixed nature of the keyboard structure is clarified in the claims as amended. The keyboard consists of a touch screen and a keyboard plate permanently mounted for engaging the touch screen. None of the cited references disclose such a structure.

The Examiner, in the response to arguments, has dismissed the distinguishing features of this invention as presented by Applicant according to the following:

"The examiner feels that this the referenced prior art does meet applicant's claim language. Applicant seems to feel that the wording of "a keyboard plate is arranged as fixed over the touch sensitive element" has to mean that the touch sensitive element is part of the keypad structure. However, placement of a keypad within set boundaries over a touch sensitive screen such that pressing a key will yield a consistent result as done by the prior art also reads on this language. "Fixed" also means to be able to put in place something that remains in place but can be removed at a later time. It can be "fixed" temporarily. Therefore, the examiner feels that prior art does, indeed meet the claim language."

According to Websters, NEW WORLD DICTIONARY, the word fixed means: "firmly placed or attached; not moveable". The keyboards of the cited art are moveable, therefore, not fixed. There is nothing in the claim language or the subject application that would imply a movable construction (see page 8, lines 29-34 of the specification). The Examiner's implication that the keyboard plate may be fixed, temporarily is irrelevant as the cited art is not fixed temporarily or otherwise.

Accordingly Applicant respectfully requests that the Examiner reconsider the arguments submitted by the Applicant in the previous response.

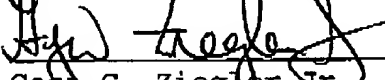
The above arguments are equally applicable to the rejected dependent claims.

SUMMARY

In view of the remarks stated above, Applicant submits that all of the claims under consideration contain patentable subject matter and favorable action by the Examiner is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for a one-month extension of time together with any other fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully Submitted,



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7 October 2005
Date

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted by facsimile to (571) 273-8300 the date indicated below, addressed to the Mail Stop AF, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Date: October 7, 2005 Signature: M. Baye

Printed Name: Meaghan Baye

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